

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 913 of 1997

in

SPECIAL CIVIL APPLICATION No 1544 of 1997

with

LPA No .914/97 in SCA No.1545/97 and LPA No.  
915/97 in SCA No.1546 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKER and

Hon'ble MR.JUSTICE S.D.PANDIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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GUJARAT LABOUR AND SECURITY GUARDS UNION

Versus

OIL AND NATURAL GAS CORPORATION LIMITED

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Appearance: in all matters

MR SHAKEEL A QURESHI for Petitioner

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CORAM : MR.JUSTICE C.K.THAKKER and

MR.JUSTICE S.D.PANDIT

Date of decision: 26/08/97

ORAL JUDGEMENT (Per:Thakker.J)

This appeal is filed against an order passed by the learned Single Judge in SCA No. 1544 of 1997 on July 7, 1997. By the said order the learned Single Judge was pleased to dismiss the petition by observing that the grievances made by the petitioner-appellant herein regarding minimum wages, P.F. payment of bonus and other consequential benefits or the facilities can be agitated by raising appropriate dispute and by moving appropriate authorities for the said purpose. We do not see any reason to interfere with the said order passed by the learned Single Judge. So far as the termination is concerned, the learned single Judge has observed that the case is of apprehended termination. The learned Judge has further observed that the court will not presume that order will be passed by the concerned authorities without observing the principles of law and contrary to law. We do not see any reason to interfere with that of termination.

2. So far as the decisions reported in Hindustan Steel Works Construction Ltd. vs. Commissioner of Labour and ors. 1996(7) J.T.(SC) 592 and Parimal Chandra Raha & ors. vs L.I.C. of India & ors. AIR 1995(5) 1665 are concerned it may be stated that there the facts were very much on record on the basis of which the court decided the matter. In the instant case the facts themselves have been disputed by filing affidavit on behalf of the respondents. In our view the learned Single Judge has not committed any error and we do not see any reason to interfere with the said order. Hence the appeals are disposed of.

(C.K.Thakker.J)

(S.D.Pandit.J)